19. A method of preventing or treating septic shock comprising administering to a patient in need of same an effective amount of a compound according to claim 10.

20. A method of treating rheumatoid arthritis, pancreatitis, inflammatory bowel disease, systemic lupus erythematosus, glomerulonephritis or encephalomyelitis, comprising administering to a patient in need of same an effective amount of a compound according to claim 10.

REMARKS

Reconsideration of this application is requested. Claims 8-20 are active in the application subsequent to entry of this Amendment.

The claims have been amended in order to more particularly point out and distinctly claim that which applicants regard as their invention and attend to the matters mentioned by the examiner in item 3 of the Official Action. In more detail, the previous set of claims has been revised and replaced as a new set. The main compound claim, claim 8, has been revised and an additional proviso added to exclude the compound disclosed in the citation discussed in items 4-6 of the Official Action. Previous claim 2 has been re-presented without significant change as new claim 9. Previous claim 3 is presented as a new independent claim 10 in which the parenthetical compound numbers have been removed. Original composition claim 4 has now been re-presented without substantial amendment as new claim 11.

Claims 5-7 have been replaced with a series of three method-of-treatment claims, each referring back to the use of the compound of claim 1. And a second series of method-of-treatment claims, new claims 15-16, refer to use of the compounds of claim 8 but without the provisos. In other words, these claims are directed to a broader class of compounds which find novelty and inventiveness in the use of the compound's name. A third series of method-of-treatment claims 18-20 are included and these claims depend from independent claim 10 which was original claim 3. Favorable consideration of these claims is requested.

Applicants are pleased to note the allowability of claim 3. This claim has been rewritten in independent form (see new claim 10), as noted above.

Claims 1, 2 and 4-7 stand rejected as allegedly being anticipated by the disclosures of a Chemical Abstracts article. Claim 1, now rewritten as new claim 8, is amended to exclude the compound disclosed in Chem Abs. 110101q, so applicants' compounds claimed in formula (I) and (II), shall not comprise the compound wherein R1=-OCH_3, R=-CH_3 and R_2=hydrogen. In fact, the compound disclosed in the abstract cited in items 5 and 6 and falling within formula (I) is the one wherein R1=-OCH_3, R=-CH_3 and R_2=hydrogen and not wherein R=R_1=R_2=-OCH_3 as stated in the Action.

For the above reasons, it is respectfully submitted that the compounds defined by applicants' claims are inventive over the disclosures of the cited prior art.

Previous "for use in..." claims 5-7 have been rewritten as new set of method of treatment claims. The therapeutic methods of the present application relate to three general area. They are:

- Prevention and therapeutic treatment of inflammatory and/or autoimmune pathologies induced by inflammatory cytokines (claims 12, 15 & 18);

- Prophylactic and therapeutic treatment of septic shock (claims 13, 16 and 19)

- Therapeutic treatment of rheumatoid arthritis, pancreatitis, inflammatory bowel disease, systemic lupus erythematosus, glomerulonephritis and encephalomyelitis (claims 14, 17 & 20).

Three particular documents among the prior art cited in the Information Disclosure Statement merit comment.

Nordlander et al. (J. Org. Chem. – Chem. Abs. Vol. 103, no. 15, 10/1985, 123125x) disclose the R(+) enantiomer of a compound of formula (I), wherein $R=R_1$=-OCH_3, R_2=H and compound of formula (I), wherein $R=R_1$=-OH, R_2=H. The latter compound is disclosed in Nordlander et al. as having dopaminergic activity.

A compound of formula (I), wherein $R=R_1$=-OH, R_2=H is also disclosed in DE 2752659, and an α- and β-adrenergic activity, together with a dopaminergic activity, is stated (although not demonstrated). The usefulness of these compounds is directed to the treatment of cardiovascular pathologies and Parkinson's disease.

A compound of formula (I), wherein R=F, R_1=-CH_3O, R_2=H is the subject of commonly assigned WO98/33762 and the corresponding U.S. application Serial No. 09/341,762 filed July 16, 1999 on which the issue fee has been paid.

Reconsideration and favorable action are solicited.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____

Arthur R. Crawford

Reg. No. 25,327

ARC:lsp
1100 North Glebe Road, 8th Floor
Arlington, VA 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100